

REMARKS

This Amendment, submitted in reply to the Office Action dated April 29, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Drawings

The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a) stating that the first circuit and transmitter of claim 6 and the first receiver, first circuit, second receiver, second circuit and circuit for identifying and aligning of claim 7 are not illustrated in the figures. Fig. 4 has been added to illustrate the elements of claims 6 and 7. See enclosed proposed Fig. 4. No new matter has been added. It is believed that the amendments to the figures resolves the Examiner's objections to claims 6 and 7. Therefore, the objection to claims 6 and 7 should be withdrawn.

Applicant has also amended figures 1-3 in compliance with MPEP 608.02.

Specification

The Examiner has objected to the Abstract. The Abstract has been amended as indicated above. Applicant respectfully submits that the Abstract is in proper form. Consequently the objection to the Abstract should be withdrawn.

The Examiner has objected to the disclosure since claims are included in the Summary of the Invention on page 4, second paragraph. The disclosure has been amended as indicated above. Applicant respectfully submits that the disclosure is in proper form. Consequently the objection to the specification should be withdrawn.

Claim Rejections - 35 U.S.C. § 102

Claims 1-11 are pending in the present application. Claims 1-11 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Turban et al. (U.S. Patent No. 6,678,475). Applicant submits the following in traversal of the rejection.

The Examiner asserts that Turban “Figs. 1-2 shows an apparatus for virtually concatenating optical channels in WDM networks and an apparatus for receiving a number of signal frames virtually concatenated in WDM networks” citing col. 1, lines 26-57; col. 3, lines 15-23 and 45-64, in support.

However, claim 1 recites “providing for a plurality of frames, each frame comprising a byte reserved for a concatenation flag”. There is no indication that the frames of Turban comprise a byte reserved for a concatenation flag. At most Turban describes that the frame structure corresponds to the SDH structure. There is no indication of the bytes in the frames of the frame of Turban nor is there any indication that a byte is reserved for a concatenation flag.

Claim 1 further recites “writing the same value defined in advance into the n-frame concatenation byte”. There is no indication, nor has the Examiner established, that a same value is written in n-frame concatenation byte in Turban.

Since Turban does not teach the elements of claim 1, claim 1 and its dependent claims should be deemed patentable.

Furthermore, Turban does not teach the reference frame and concatenation byte of claim 2, and the circuits and receivers of claims 6 and 7. Consequently, claims 2, 6 and 7 and their dependent claims should also be deemed patentable.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO.: 09/911,625

ATTORNEY DOCKET NO. Q65519

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 12, 2004